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PATENT

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P.2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Sallberg et al.

For: **COMPOSITIONS AND METHODS
FOR TREATING
INTRACELLULAR DISEASES**

Serial No.: 09/466,035

Filed: December 17, 1999

Atty. Dkt No.: 1231-104 (2300-1231.01)

) Examiner: P. Paras, Jr.

) Group Art Unit: 1635

) Confirmation No.: 9697

) **CONTINUED PROSECUTION**
) **APPLICATION UNDER 37 CFR §1.53(d)**

RECEIVED

OCT 17 2002

TECH CENTER 1600/2900

Express Mail Label No. EV 203 309 233 US
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BOX CPA
Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is a request for filing a continuation application under the Continued Prosecution Application Procedure, 37 C.F.R. §1.53(d), of the above-identified application.

It is understood that secrecy under 37 U.S.C. §122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket of a 37 C.F.R. §1.53(d) application, be it either the application or a prior application in the same file jacket, the PTO may provide similar information or access to all the other applications in the same file jacket.

1. This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above. With respect to the prior application from which the present application claims benefit under 35 U.S.C. §120, the inventor(s) in this application is/are:

/ X / the same.

/ / less than those in prior application. It is hereby requested that the following inventors be deleted: _____

10/16/2002 AMONDAF1 00000140 09466035

01 FC:1006
02 FC:1202
03 FC:1254

740.00 OP
90.00 OP
1440.00 OP

2. The names and current address(es) of the inventor(s) as originally filed is/are:

Matti Sallberg
Fatburskvarng 1#, S-118 64,
Stockholm, Sweden

William T. L. Lee
7961 Calle Posada
Carlsbad, CA 92009

David R. Milich
25048 Oakana Road
Ramona, CA 92065

3. The inventorship for all the claims in this application is:

/ X / the same.

/ / not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

4. / / Applicant(s) is a small entity:

/ / small entity status established in prior application.

/ / small entity statement attached.

5. The filing fees are to be calculated on the claims pending in the application and the claims remaining as a result of:

/ X / the attached Preliminary Amendment.

/ X / the unentered amendment filed pursuant to 37 C.F.R. §1.116 in the application, and which Applicants now request be entered.

/ / the claims allowed in the notice of allowance mailed _____.

FILING FEE CALCULATION

	Fee Code	Claims	Extra	Rate	Amount
Basic Fee	1006				\$ 740
Independent Claims	1201	2 – 3=	0 x	\$42	0
Total Claims	1202	25-20=	5 x	\$18	\$ 90

Additional Claims Fee \$ 830

6. Applicants hereby request an extension of time

for 4 months from 6/22/02 to 10/22/02. Fee Code 1254..... \$1,440

Total Fees Due..... \$2,270

7. / X / Enclosed is a check in the amount of \$2,270.

8. / X / The Commissioner is hereby authorized to charge any additional fees and to credit any overpayment of fees which may be required under 37 CFR §1.16 and §1.17, and §1.21 to Deposit Account No. 18-1648, referencing Atty. Docket No. 1231.104 (2300-1231.01).

9. The application is assigned of record to: Chiron Corporation

10. The power of attorney in the application is to: Dahna S. Pasternak.

/ / The power appears in the original papers in the application.

/ / The power does not appear in the original papers, but was filed on:

_____.

/ X / A Revocation of Prior Power and New Power of Attorney has been executed and is attached.

11. Address all future communications to:

Anne S. Dollard, Esq.
Chiron Corporation
Intellectual Property - R440
P.O. Box 8097
Emeryville, CA 94662-8097

12. Other documents enclosed herewith:

/ X / Preliminary Amendment and Information Disclosure Statement;

/ X / Copies of forms PTO-892 and PTO-1449 from the prior application.

/ X / Power of Attorney and Revocation of Prior Powers;

/ X / Return Receipt Postcard.

Respectfully submitted,

By: 

Dahna S. Pasternak
Attorney for Applicants
Registration No. 41,411

Chiron Corporation
Intellectual Property - R440
P. O. Box 8097
Emeryville, CA 94662-8097
Telephone: (510) 923-2708
Facsimile: (510) 655-3542